

ENVIRONMENTAL ASSESSMENT

NV-040-05-006

GLEASON CREEK RIPARIAN PROTECTION FENCE

United States Department of the Interior
Bureau of Land Management
Ely Field Office

Prepared by: Mark Lowrie
February 7, 2006

I. BACKGROUND INFORMATION

Introduction

This environmental assessment (EA) addresses the impacts to public land resources from a proposal to implement the Gleason Creek Riparian Protection Fence. Riparian areas are well known to be especially valuable public land resources. This EA fulfills the National Environmental Policy Act (NEPA) requirement for a site-specific analysis.

Need for the Proposal

The need for the riparian protection fence range improvement proposal is to improve rangeland health, watershed condition, and plant species composition and production in the Gleason Creek riparian corridor. This fence would prevent livestock (cattle and sheep) from over-utilizing native riparian plants in this important habitat, and give the area needed range rest. Range utilization studies conducted in this area over the past several years show a pattern of heavy and severe use by livestock during the summer grazing period, resulting in adverse impacts to the riparian area. In addition, the upper 300 yards of the riparian corridor were rated as functional at risk in August of 2004 by a riparian assessment team, with several problems identified. These problems included creek down-cutting, eroded banks, trampled and hummocky areas, inappropriate vegetation composition (excessive sagebrush encroaching and cheatgrass present), and a riparian system that is not vertically stable. The riparian fence would take steps to correct these problems.

The proposal would assist the Bureau of Land Management (BLM) and the livestock permittee in meeting Rangeland Health Standards and the multiple use management vegetative objectives for the Thirty Mile Spring Allotment.

Relationship to Planning

The proposed project is in conformance with the Egan Resource Area Record of Decision (ROD) signed February 3, 1987, and with the goals outlined on page 3 of the ROD, which states in part, "...develop and implement range improvements which emphasize greatest return on investment in relationship to resource needs..."

The project is also in conformance with the Proposed Egan Resource Management Plan and Final Environmental Impact Statement (RMP/FEIS), dated December 24, 1983. The implementation of range improvements is listed as a long-term management action on page 20 of the RMP/FEIS.

The project is also consistent with the White Pine County Land Use Plan of May, 1998 which states the following:

- "The federal government should continue to make the public rangelands economically and realistically available for livestock grazing, along with the other multiple use objectives." (page 7)

The fence proposal would help meet the District's goal of being in conformance with the Northeastern Great Basin Area Resource Advisory Council (RAC) Standards and Guidelines for Grazing Administration and Healthy Rangelands. Standards and Guidelines for Grazing Administration were developed by the Northeastern Great Basin Area RAC, and approved by the Secretary of the Interior on February 12, 1997. Page one of the document states that "Standards and Guidelines will be implemented through terms and conditions of grazing permits, leases, and other authorizations, grazing – related portions of activity plans, and through range improvement related activities." Standard 2, the Riparian and Wetland Sites Standard, states "*Riparian and wetland areas exhibit a properly functioning condition and achieve state water quality criteria.*"

This project was initially proposed by the Ely BLM range specialist and grazing permittee in December, 2001. This project has been discussed and recommended by the *Gleason Creek Watershed Assessment* of March, 2005.

Issues

The main issue in regard to the proposed action was identified during the internal scoping process as the effectiveness of the fence in preventing livestock grazing of the riparian area. No other main issues have been identified during the scoping process or during the task force tour of June 15, 2005, or the coordination tour of August 5, 2005.

II. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

Proposed Action

The proposed action is to install approximately 3.0 miles of fence in roughly a rectangular shape, which would protect a large portion of the riparian corridor (see Map, p. 18). The long portions of the fence would run north/south, the shorter lengths east/west. The fence would occur on public lands entirely within White Pine County, on the Thirty Mile Spring Grazing Allotment, in the Gleason Creek Watershed, approximately 14 miles northwest of Ely, Nevada. The fence would tie into an existing private lands fence on the north end. Gates would be built into the fence at appropriate locations to allow walking access, emergency livestock movement and vehicle passage, or short term grazing authorizations. Two small cattle guards would need to be installed on the lower and upper portions of the riparian fence on the existing two track road that passes through public land in the area. Sixteen foot steel gates would be installed on either side of the cattle guards.

Two short water pipelines and associated troughs would be installed as part of the proposed action. The first trough would occur east of the protection fence, the second trough west of the fence. These short laterals would tie into an existing buried water pipeline that currently is in place within the proposed project area along the two track road that borders the creek channel (Project No. 001507). The first lateral would be approximately 100 yards long, leading to a 1,000 gallon galvanized steel water trough just outside the protection fence. Two potential locations have been identified for the first lateral. The final location would be identified during the survey and design work. The two locations are as follows:

1. T. 18N., R. 62E., Section 18 NE1/4 of the SW1/4 of the SW1/4.
NW1/4 of the SE1/4 of the SW1/4.
2. T. 18N., R. 62E., Section 19 SE1/4 of the NW1/4 of the NW1/4.
SW1/4 of the NE1/4 of the NW1/4.

The second water pipeline and trough would also be approximately 200 yards long, leading to a 1,000 gallon galvanized steel trough. The location for the second water line is as follows:

1. T. 18N., R. 62E., Section 19 NW1/4 of the SW1/4.

The two short lateral water developments would be maintained by the permittee according to a cooperative agreement and would provide water outside the exclosure for both livestock and wildlife. The BLM would construct the developments and the permittee would provide the materials. Hydraulic ram water pumps may be required during the grazing period to move water from the existing buried line to the lateral troughs. The permittee would provide and maintain the hydraulic rams.

The fence would primarily occur in native mountain big sagebrush range that borders the riparian area. The terrain is rugged and rocky. Slopes range from mild to moderately steep.

The Thirty Mile Spring Allotment is a category “M” (maintain) allotment.

In terms of Township and Range, the fence would be constructed at:
T. 18N., R. 62E., in portions of the west half of Sections 18, 19.

The fence would be standard BLM 4-wire fence with steel posts placed every 16 feet. The fence would be built to meet standards regarding cattle and wildlife specifications (BLM Manual 1737), consisting of a smooth bottom wire and three strands of barbed wire. White topped steel posts would be used to increase visibility for livestock and wildlife. White flagging from 18 to 24 inches long would be attached to the top wire between posts during construction and left for one year following construction to alert livestock or wildlife to the new fence. The fence would not occur within a Wild Horse Herd Management Area (HMA). The fence would be constructed by contract, through a competitive bidding process. The authorized permittee would maintain the project. The permittee has already signed a Cooperative Agreement for Range Improvements for this improvement, which includes maintenance of the cattle guard. The cooperative agreement details the permittee responsibilities for maintenance.

A small turn around area (14 ft. x 14 ft.) for vehicles would be placed on the existing two track road in the area, to discourage traffic from proceeding through private ground near the headwaters of the riparian complex. This two track road, constructed in 1997, traverses through public lands to the east of the private ground. The approximate legal location of this turn around area would be:

T. 18N., R. 62E., Section 18, SW1/4 of the SW1/4.

Construction work on the fence would commence during the summer of 2006 or 2007 and would take from two to three weeks. Cross country travel by vehicles and construction equipment would be permitted along the fence line route during construction and for maintenance. Where topography and gradient permit, heavy equipment may be used to clear a narrow swath of brush to facilitate fence construction. This equipment would be washed prior to entering the project area in order to help prevent weed establishment.

It is not expected that the fence would be constructed during the migratory bird nesting period, from May 1 to July 15. If the fence is constructed during that period, a survey of the fence route would be completed prior to construction by the Ely Field Office wildlife biologist in order to determine if construction can proceed.

BLM would supervise and monitor construction of the fence to insure specifications and standard operating procedures (SOP's) are followed, particularly those requirements that would minimize impacts to the vegetative resource. SOP's for this proposed action are those approved by management and are listed in Appendix I to this document.

Upon completion of the fence, a final inspection would be made to ensure compliance with specifications. Any deficiencies would be corrected at that time. Periodic compliance checks for maintenance would be made by the rangeland management specialist following fence completion in conjunction with routine rangeland monitoring of the Thirty Mile Spring Allotment.

The riparian vegetative resource would continue to be monitored in the long term using several rangeland monitoring methods. Monitoring and data collection would continue in the form of monitoring utilization levels, conducting ecological condition and cover studies, summarizing livestock licenses and actual use reports, and conducting compliance checks. This data would be collected by the rangeland management specialist.

The disturbed area caused by fence construction would also be monitored following construction for noxious or invasive weeds or nonnative species. Further mitigation measures for weeds are identified in the Noxious Weed Risk Assessment in Appendix II.

The grazing permittee has expressed the concern that water development should be included with the proposed action in order to provide for proper livestock management in the allotment. BLM has coordinated with the permittee concerning water development during a project tour held on August 5, 2005.

Alternative 1 - Protection Fence Without Water Development

According to Alternative 1, the water development would not be installed. Livestock would have to travel up to two miles to drink. Livestock and wildlife would be more apt to pressure or push through the proposed protection fence to obtain water.

No Action Alternative

Under the no action alternative, the proposed fence and associated water pipelines and troughs would not be built. Heavy and severe livestock utilization of the riparian area would continue, which would result in a decline in native rangelands, unhealthy watershed condition, and vegetative objectives and Standards and Guidelines not being achieved. Proper functioning condition of the riparian system would not be achieved. The number of compliance checks would remain the same or increase.

Alternatives Considered but Eliminated From Detailed Analysis

Herding livestock using horses was also considered as a method of managing forage utilization and protecting the riparian area. Herding of livestock was eliminated from detailed analysis for the following reasons:

1. Herding with horses is a far less effective means of controlling cattle than a good fence. Without a physical barrier in place, cattle would still drift onto the riparian corridor.
2. Herding would need to be repeated at least once weekly during the grazing season, costing the livestock permittee time and money.
3. The potential for negative impacts to the riparian resource would be greater for herding.

III. DESCRIPTION OF THE AFFECTED ENVIRONMENT

The affected environment is described in the Egan Resource Area Record of Decision of February, 1997, and the Gleason Creek Watershed Assessment (2005). The Thirty Mile Spring Allotment (00503) encompasses a total of approximately 178,716 public land acres. The allotment is situated primarily in Butte Valley in the central portion of the Ely District approximately 20 air miles northwest of Ely, Nevada. That portion of the allotment within the Gleason Creek Watershed (#136) encompasses approximately 10,900 acres. Elevations in the project area range from 6,700 feet at valley bottom to 9,000 feet on top of the Egan Mountain Range. Average annual precipitation for the area is from 8 - 12 inches annually. The allotment occurs within the Central Nevada Basin and Range (028B) Major Land Resource Area (MLRA).

The dominant vegetative types within that portion of the Thirty Mile Spring Allotment in the Gleason Creek Watershed are mountain big sagebrush and singleleaf pinyon/Utah juniper plant associations. The protection fence would primarily occur in the mountain big sagebrush community. Other native plants present in the two dominant associations include antelope

bitterbrush, Utah serviceberry, snowberry, black sagebrush, rabbitbrush, Indian ricegrass, bluebunch wheatgrass, needlegrass species, basin wildrye, bottlebrush squirreltail, bluegrasses, arrowleaf balsamroot, tapertip hawksbeard, and lupine.

The native riparian species associated with the Gleason Creek riparian system include wild rose, wild currant, sedges, rushes, Kentucky bluegrass, barley, and other native plants typical of small creek riparian systems.

Range

The Thirty Mile Spring Allotment has been formally evaluated. A multiple use grazing decision was issued for the allotment in 1995. Permitted grazing use in the allotment is currently authorized according to the “*Agreement for Changes in Livestock Grazing Use and Establishment of Appropriate Management Level for the Thirty Mile Spring Allotment*” of June 2001. This agreement addresses grazing management changes to facilitate progress toward meeting Rangeland Health Standards.

Active permitted use for both sheep and cattle in the entire allotment is 8,405 AUMs. In the project area (Gleason Creek Watershed portion of the allotment) about 100 pair of cattle generally graze from July 1 through the first part of October (300 AUMs). About 1,000 sheep graze the area from July until the end of September (600 AUMs).

The permitted active grazing use for the Thirty Mile Spring Allotment is listed below in Table 1. The permittee of record for the allotment is Gracian Uhalde.

Table 1. Permitted grazing use for Thirty Mile Spring Allotment.

| ALLOTMENT | LIVESTOCK | | GRAZING PERIOD | | TYPE USE | AUMs |
|--------------------|-----------|--------|----------------|-------|----------|-------|
| Name | Number | Kind | Begin | End | | |
| Thirty Mile Spring | 4,600 | Sheep | 04/26 | 11/30 | Active | 6,624 |
| | 247 | Cattle | 04/26 | 11/30 | Active | 1,778 |

Wild Horses and Burros

The proposed fence does not occur within a wild horse herd management area (HMA). No wild horse use has been observed in the area for several years.

Vegetation

The range sites in central White Pine County in the proposed project area were mapped by the Natural Resources Conservation Service (NRCS) in 1986 and 1987. The range site designations are 028BY046NV and 028BY087NV. As previously mentioned, the fence would occur in primarily mountain big sagebrush plant communities, dominated by mountain big sagebrush, antelope bitterbrush, bluebunch wheatgrass, Thurber needlegrass, and associated vegetation.

Average annual precipitation is about 12 inches. Normal year plant community production is 800 lbs. per acre.

Soils

The soils in the proposed fence area are gravelly loams and gravelly clay loams. The soils are gently sloping (2 - 8% slopes) to moderately sloping (9 – 50% slopes) fan piedmont types. The soils are shallow to moderately deep and well drained. Gravels, cobbles, and stones typically occur in these soils. The potential for water or wind erosion is slight to light.

Cultural Resources

A Class III cultural inventory and cultural clearance for the project area is planned for this project during the spring of 2006. A cultural report will be filed with the EA for this project. A total of approximately 3 miles will be inventoried for cultural resources. Cultural resources will be avoided. Based on the cultural resources needs assessment, one cultural site has been identified in the project area (No.).

Wilderness Values

That portion of the Thirty Mile Spring Allotment surrounding the project area does not occur within a wilderness study area (WSA). The nearest WSA is the Goshute Canyon WSA which is approximately 30 miles north of the proposed project.

Special Status Species (Federally listed, proposed or candidate Threatened or Endangered Species, and State sensitive species)

There are no known Special Status Species in the project area. There are no known sage grouse leks (strutting grounds) within the immediate vicinity of the proposed project. Sage grouse have been observed in the project area at varying times of the year. No documented ferruginous hawk nest sites are within the project area. Bald eagles have been observed in the project area during the winter/early spring period.

No special status plant species are known to occur in the project area.

Wildlife

Mule deer utilize habitats within the project area on a year-long basis. Elk use is occasional in the area. During winters with abundant snowfall additional mule deer will migrate into the area. Passerine and other bird species, small mammals, reptiles and amphibians common to the great basin environment can also be found in the project area.

Recreation

Recreation in this area includes large and small game hunting, wildlife observation and photography, hiking, horseback riding, and off road vehicle exploration. These activities are

more prevalent at higher altitudes.

Invasive, Non-native Species (including noxious weeds)

Currently the invasive weed species halogeton (Halogeton glomeratus) and the non-native grass cheatgrass (Bromus tectorum) have been identified in the project area. Other invasive species present in the project area include Russian thistle. A small amount of the noxious weed species small whitetop (*Cardaria draba*) and musk thistle (*Carduus nutans*) occur near the main two track road that runs through the riparian area.

IV. ENVIRONMENTAL CONSEQUENCES

The following resources do not occur and would not be impacted by the construction of the proposed riparian protection fence.

1) Floodplains and Wetlands.

2) Wilderness Values, Areas of Critical Environmental Concern (ACECs), and Wild and Scenic Rivers.

3) Prime or Unique Farmlands.

The environmental consequences of the following resources have been considered.

4) Native American Religious Concerns.

A Tribal coordination meeting was held at the Ely BLM Field Office on November 17, 2005. No concerns were expressed by Native Americans in regard to the proposed action.

5) Environmental Justice.

No disparate impacts would occur to low income or minority peoples.

6) Paleontological and Historic Resource Values.

Prior to construction, the project area will be surveyed for paleontological and historic resource values.

7) Hazardous Wastes.

Hazardous wastes do not exist on the project site nor would they be introduced by the proposed action.

8) Migratory Birds.

Impacts to migratory birds would not occur because of mitigation built into the proposed action.

Anticipated Impacts of the Proposed Action

1. Range

Specific impacts would include better control of cattle grazing, resulting in less heavy and severe utilization of the Gleason Creek riparian corridor. Improvement in utilization of the riparian area would result in enhanced forage production, ground cover, vigor, species composition, diversity, and range condition and trend. A very minor increase in livestock use of the uplands would result as a consequence of the project. Trailing use by cattle and sheep along the new fence line would be expected. Progress would be made in achieving Standards and Guidelines for Grazing Administration, proper functioning riparian condition (PFC), and other vegetative objectives.

2. Soils

Short term impacts to soils (impacts for the first year following project construction) from fence building activities and the brush clearing for the turn around area would be minimal. A minor increase in soil compaction and disturbance to soil structure would result due to vehicle, equipment, and human activity during construction. Minor soil loss could occur as a result of wind and water erosion. In the long-term (after the first year following fence construction) soils immediately along the fence corridor and at trough locations could become compacted by cattle trailing and drinking. The total area of soil compaction would be approximately four acres. In the long term it is not expected that soil characteristics would be negatively impacted in the area outside the immediate fence corridor and trough locations. Soil erosion potential would remain the same. Soil conditions within the protection fence are expected to show improvement within the first year following project construction. Vegetative cover would almost immediately begin healing the bare soil areas within the protection fence.

3. Vegetation

From twenty to forty pinyon or juniper trees along the fence line would need to be cut and removed from the project area to facilitate fence construction. Due to the rugged, rocky topography, it would not be possible to remove mountain sagebrush or other shrubs along the fence line with heavy machinery. Instead, individual mountain sagebrush or other large shrubs would be cut as needed. A few shrubs may need to be cleared to allow for the small round steel water troughs and the turn around area. The first priority is to place troughs in previously disturbed areas. No other vegetation clearing or removal would be required, however some grasses and forbs would be crushed by normal fence building activities.

In the short-term, some vegetation would be crushed due to equipment activity near the cattle guards, gates, and turn around area. The equipment activity would consist of trucks, backhoes, or other heavy equipment. These crushing impacts would be minimized by careful planning, careful equipment use, and by limiting travel along the fence corridor to that which is necessary and by employing ATVs when possible and practical. Other fence construction activities would result in minimal crushing and trampling of vegetation.

In the long-term, following one year after fence construction, vegetation along the fence corridor and at trough locations could be impacted by cattle or sheep trailing. Livestock trailing along a fence is considered natural livestock behavior and cannot be mitigated. The total area impacted by seasonal trailing along a one mile fence would be approximately 2 acres. The resulting cattle trail would also be used for infrequent fence maintenance. The protection fence is expected to lead to positive vegetation impacts to the riparian plant community within the fence such as improved cover, increased vigor, increased production and forage availability, and an improved rangeland condition and trend, and thus an improved watershed condition. An inconsequential increase in forage utilization of the uplands by livestock would result from the project.

4. Wildlife

In the short-term, during construction of the fence, resident wildlife attendant to the fence, including birds, small mammals, rodents, and reptiles would be temporarily disturbed and displaced by fence construction activity. In the long-term, after fence construction, wildlife habitat would be enhanced by improved vegetative ground cover and a better quantity and availability of forage resulting from the range rest provided by the new fence.

The area of the fence is a common use area for mule deer year long. There is a possibility of mule deer becoming entangled in the fence. The potential also exists for elk and antelope to become entangled by the fence and become injured. Sage grouse may also collide with the fence until they learn of its presence. The fence will provide additional perches for raptors to hunt from.

Since the fence would be constructed to big game standards, impacts to big game would be minimized and animals should be able to safely negotiate the fence in most circumstances. No impacts are expected to migratory birds because of mitigation identified in this EA.

5. Special Status Species (Federally listed, proposed or candidate Threatened or Endangered Species, and State sensitive species)

Minor impacts are expected to Special Status Species. No sage grouse leks are located on or near the proposed project, however, the riparian corridor may be sage grouse brooding habitat. The improved riparian habitat could result in improved brooding habitat for sage grouse. No special status plants are located on or near the proposed fence, thus special status plants would not be affected by the proposal.

As mentioned above, sage grouse might collide with the fence until they learn of its presence. The fence may also provide additional perches for raptors to hunt from.

6. Cultural Resources

There would be no adverse impacts to any Historic Properties or paleontological resources by this project. Avoidance of archaeological sites is preferred.

7. Recreation

Both during and following fence construction, there would be minimal impacts to existing recreational activities. The fence corridor is not expected to lead to increased off-highway vehicle (OHV) use in the area, in part due to rough, rocky topography of the project area. The grazing permittee has commented that he does not need continued access to private ground for recreation from the north end of the existing two track road. Approximately 200 yards of this section of road may be closed to vehicle traffic. The new northeast two track road constructed in 1997 provides an alternative route for public access to the area.

8. Visual Resources Management (VRM)

The proposed project would introduce visual contrasts into the landscape. Vegetative and topographic screening would hide some of the visual contrasts. Shrubs, grasses, and forbs would be trampled or crushed during fence installation, resulting in a minor visual disturbance. The proposed project is consistent with the Visual Resource Management (VRM) Class IV objectives for this area. According to BLM Manual H-8410-1, the VRM Class IV Objectives are as follows:

“The objective of this class is to provide for management activities which require major modification of the existing character of the landscape. The level of change to the characteristic landscape can be high. These management activities may dominate the view and be the major focus of viewer attention. However, every attempt should be made to minimize the impact of these activities through careful location, minimal disturbance, and repeating the basic elements.” {Form, line, color, and texture}.

9. Air Quality

A short term, minor, and local impact to air quality could result due to ground disturbance by vehicles and construction activities. Impacts would be temporary and would dissipate quickly.

10. Solid Wastes

A limited amount of solid waste would be generated by the construction of this project. The waste would be cleaned up and disposed of properly.

11. Social and Economic Values

Lifestyles of local residents would not be impacted. The proposed range improvement could provide economic benefits for the grazing permittee in the Thirty Mile Spring Allotment by improving the efficiency of the livestock operation. Installation of projects which serve the public interest could improve the relationship between the local public and the BLM.

12. Noxious Weeds (Including Invasive, Non-native Species).

Fence building activity would not result in an increase in noxious weeds to the area impacted by fence line construction. The Risk Factor for spread of noxious weeds is low (9) at the present time (See Appendix II for the Noxious Weed Risk Assessment). However, fence line building activity could result in an increase in invasive or nonnative species in the project area. Trucks, trailers, and ATVs used in construction activity would be washed prior to working in the area. Both the immediate disturbed area and a broad area beyond the immediate fence line would be monitored on a regular basis for noxious or invasive weeds or nonnative species. Control treatments would be initiated on noxious weed populations that become established in the project area.

13. Cumulative Impacts

According to the 1994 BLM Handbook "Guidelines for Assessing and Documenting Cumulative Impacts," cumulative analysis can be focused on those issues and resource values identified during scoping that are of major importance. The issue of major importance has been identified as the effectiveness of the fence in preventing livestock grazing of the riparian area. A general discussion of past, present, and reasonably foreseeable future actions follows:

Past Actions

There have been limited previous actions occurring in the project area. There has been no historical oil or gas production or exploration. Mineral mining was historically common in the vicinity of Ruth approximately 10 miles south of the project area. There has been very little historical woodcutting or pinyon nut gathering. Hunting, wildlife viewing, and other recreational activities including OHV use have been common. Small two track roads associated with these activities are not extensive and have not altered the landscape. Wildfires have been infrequent in this sagebrush area. Wildlife use has not fundamentally altered the plant communities.

Livestock grazing has been intensive historically and may be a contributing factor to the presence of some noxious or invasive plant species in the project area. A water development (pipeline and pond) was constructed in the project area in the fall of 1998 (Project No. 001507). Other than this water development, there has been a lack of range improvements in the area to distribute cattle use and improve forage utilization. Rangeland monitoring has been a common activity in the area.

Present Actions

Current activities or projects occurring in the project area are limited. There is no current mineral mining or oil and gas exploration. Woodcutting is minimal, and pinyon nut gathering is non-existent. Recreational activities including OHV use are currently common. There is occasional use of the small two track roads in the area. There have been no recent wildfires. Current livestock grazing in the riparian area is heavy, while grazing in the uplands is light and

moderate. Wildlife use is not intensive in the area. Approximately 300 acres of native sagebrush range in the uplands in the southern portion of the allotment have been treated during the fall of 2004 and fall of 2005 to improve watershed condition and restore sagebrush habitats. Up to 1,400 additional acres may be treated in the near future, as part of the ongoing Upper Gleason Creek Project. The project area continues to be monitored to determine if grazing management practices are meeting the vegetative objectives for the allotment. The current Northeastern Great Basin Area Standards and Guidelines for Grazing Administration and Healthy Rangelands provide management direction for this area.

Reasonably Foreseeable Future Actions

Other range improvements are planned for the Thirty Mile Spring Allotment. The improvements include approximately 300 acres of sagebrush habitat restoration and approximately 1400 acres of prescribed burning to restore sagebrush habitat, rangeland health, and watershed condition, and reduce hazardous fuels.

If constructed, the protection fence would improve grazing administration, livestock control, and grazing management, resulting in fewer compliance checks and improved watershed and riparian vegetative conditions. There would be little cumulative visual impairment to the area as a result of the project. There are no anticipated increases in mining, woodcutting, pinyon nut gathering, hunting, or OHV use in the area in the reasonably foreseeable future. Rangeland monitoring is expected to continue in about the same manner and scope as it has in the past.

A new resource management plan (RMP) is currently being developed for the Ely Field Office BLM area. The draft RMP/EIS is currently out for public review and comment. According to the new RMP, resources management will occur by watershed. The area of the proposed action occurs within the Gleason Creek Watershed (#136).

Impacts

Past and present actions have resulted in less than desirable riparian and watershed conditions. The proposed action in association with other actions would improve riparian and watershed conditions.

Anticipated Impacts of Alternative 1

According to Alternative 1, the riparian protection fence would be constructed, but water development would not take place. Livestock would have to travel up to two miles to water. Livestock and wildlife would put more pressure on the fence. The positive impacts of riparian habitat protection would remain the same.

Anticipated Impacts of the No Action Alternative

According to the No Action Alternative, the riparian protection fence would not be constructed, and impacts as described above would not occur. Heavy livestock use of the Gleason Creek

Riparian Area would continue, leading to negative impacts to the soils and vegetative resource. It would be likely that noxious weeds or invasive non-native plant species would increase at a slow rate. BLM would have to continue to make compliance checks and closely monitor the utilization of the area. The rancher would have to continue herding livestock away from the riparian area. Wildlife habitat would not be enhanced. There would be no economic benefit to the livestock permittee. There would be no impact to special status species, recreation, visual resources, or air quality from the no action alternative.

V. PROPOSED MITIGATION MEASURES

Appropriate mitigation measures have been included in the proposed action (Section II). No additional mitigation measures are proposed as a result of the analysis of the potential impacts.

VI. SUGGESTED MONITORING

Appropriate monitoring has been included as part of the proposed action (Section II). No additional monitoring is suggested as a result of the analysis of potential impacts.

VII. CONSULTATION AND COORDINATION

Public Interest and Record of Contacts

A summary of the proposed action was originally posted on the Ely BLM external website in 2004. Normally, a draft EA would be posted for a thirty day public review and comment period on the Ely BLM external website. However, the BLM external website is currently unavailable to the public. Thus, a hard copy of the draft EA will be mailed, for a thirty day public comment and review period, to those interested publics who have expressed an interest in range management actions on the Thirty Mile Spring Grazing Allotment. Changes in the EA based upon public input will be made as appropriate. Interested publics will again be notified by mail when the EA is completed and the Decision Record/Finding of No Significant Impact (DR/FONSI) is signed. These documents will also be mailed to interested publics. The signed DR/FONSI initiates a 15 day protest period and a 30 day appeal period.

The Ely Field Office mails an annual Consultation, Cooperation, and Coordination (CCC) Letter to individuals and organizations that have expressed an interest in rangeland management related actions. Those receiving the annual CCC Letter have the opportunity to request from the Field Office more information regarding specific actions. Those requesting notification of range improvement actions are requested to respond if they want to receive a copy of the final EA and signed Decision Record/Finding of No Significant Impact. The following individuals and organizations, who were sent the annual CCC letter in January, 2005, have requested additional information regarding range developments or range improvement programs within the Thirty Mile Spring Allotment:

Curtis A. Baughman, Nevada Division of Wildlife
Blue Diamond Oil Corporation

Steven J. Carter, Carter Cattle Co.
Katie Fite, Western Watersheds Project
Steve Foree, Nevada Division of Wildlife
Friends of Nevada Wilderness
Brad Hardenbrook, Nevada Division of Wildlife
Betsy Macfarlan, Eastern Nevada Landscape Coalition
Moorman Ranch c/o Bob Dickenson
Nevada State Clearinghouse
PLUAC c/o Virginia Lani
U.S. Fish and Wildlife Service
Natural Resources Conservation Service

Record of Personal Consultation and Coordination

Gracian Uhalde, Uhalde Ranches
Mike Uhalde, Uhalde Ranches

The proposed action was discussed with representatives of the Ely Shoshone Tribe during the Ely Field Office Tribal Coordination Meeting held on November 17, 2005. No concerns were identified during this meeting.

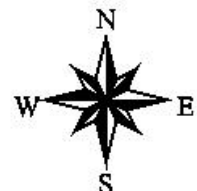
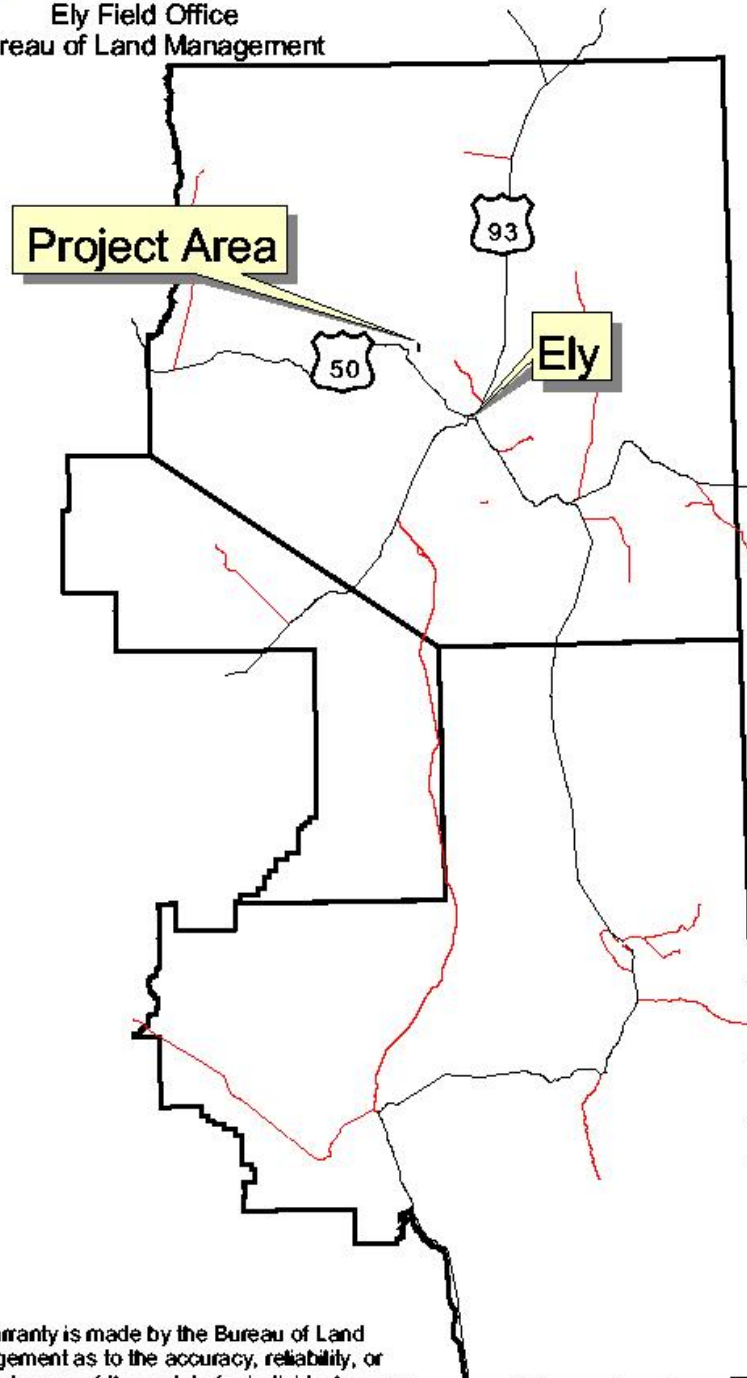
Internal District Review

| | |
|-------------------|--|
| Chris Mayer, | Range, Environmental Coordination |
| Mark Lowrie, | Range, Environmental Coordination, Environmental Assessment & Weed Risk Assessment |
| John Longinetti, | Range |
| Brad Pendley, | Threatened and Endangered Animals, Plants, Wildlife, Migratory Birds |
| Carolyn S. Bybee, | External Outreach & Environmental Coordination |
| Fred Fisher, | Operations |
| Larry Martin, | Engineering |
| Harry Rhea, | Operations & Weed Management |
| Elvis Wall, | Native American Coordination |
| Dave Jeppesen | Recreation |
| Dave Anderson | Recreation, Wilderness |
| Brenda Linnell, | Lands |
| Lynn Bjorklund, | Geology |
| Lisa Gilbert, | Archaeology |



Gleason Creek Riparian Protection Fence Within the Ely District

Ely Field Office
Bureau of Land Management

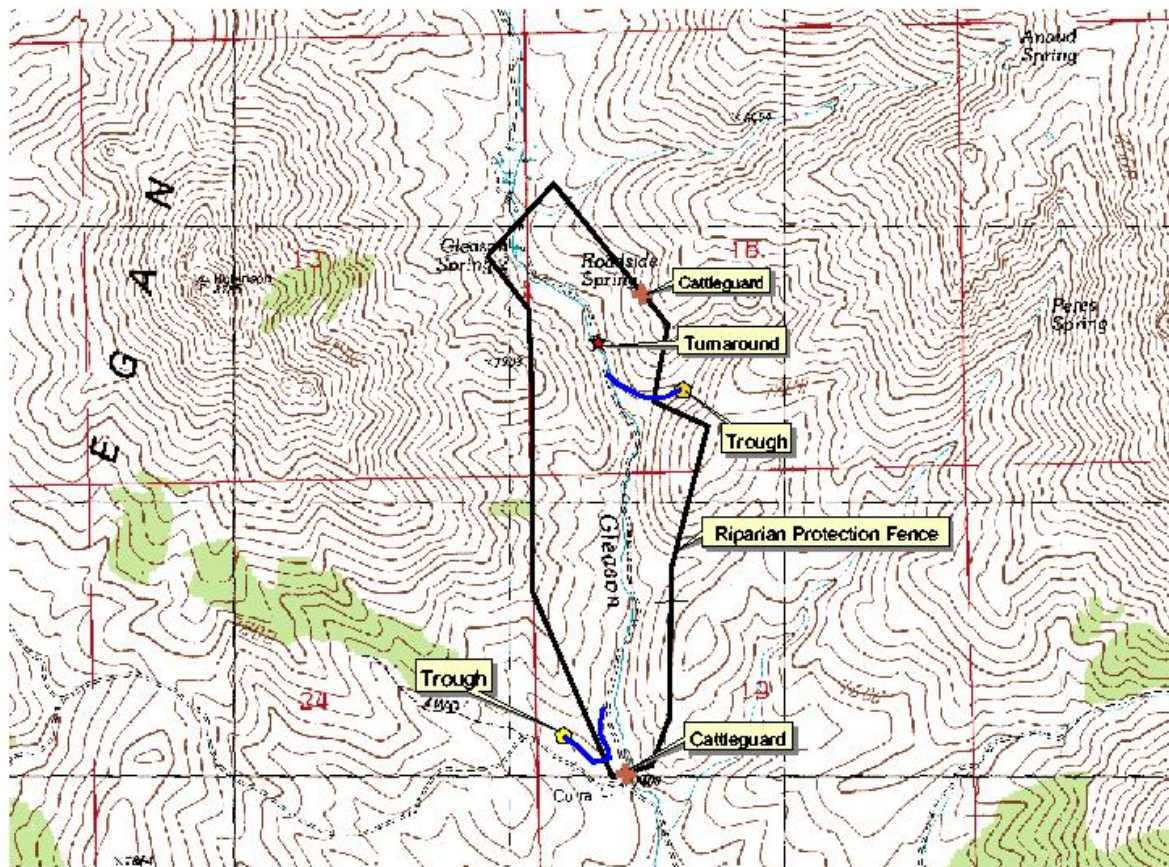


No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.



ML 01/24/06

Gleason Creek Riparian Protection Fence



0.5 0 0.5 1 Miles

-  Gleasonwtrlines.shp
-  Gleasonfencepoints.shp
-  Cattleguard
-  Trough
-  Turnaround
-  Gleasonripfence.shp



Ely Field Office
Bureau of Land Management

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of this data for individual use or aggregate use with other data.

ML 01/24/06



APPENDIX I STANDARD OPERATING PROCEDURES

The following SOP's that apply to the proposed action should be adhered to for the riparian protection fence project:

1. Removal of vegetation will be held to the minimum necessary for construction, access, and to provide for safety.
2. Construction activities will be limited to times when soils are not wet or saturated, to lessen soil compaction by equipment. In addition, construction activities may be delayed by the authorized officer due to severely dry conditions, to prevent unnecessary erosion of soil resources.
3. Vehicle travel shall only be permitted along the proposed fence line corridor during the construction phase. Access will be via existing roads and trails whenever possible. Where existing roads are not available, off road travel will be kept to the minimum necessary for construction.
4. White flagging will be tied at each wire stay for visibility to animal herds. These will remain for a time sufficient to allow deer and antelope to see the newly constructed fence.
5. Maximum corridor width of the fence line would be a total of 16 feet.
6. If the need to use, store, and/or dispose of hazardous materials arises, which is not identified in this EA, the authorized person(s) constructing the project would notify and seek authorization from the BLM.
7. Maintenance of the protection fence project will be accomplished by the operator(s) through cooperative agreements with the BLM, or through range improvement permits.
8. Pursuant to 43 CFR 10.4(G) the holder of this authorization must notify the authorized officer by telephone, with written confirmation immediately upon discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). Further, pursuant to 43 CFR 10.4 (c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
9. All equipment and assorted materials associated with the construction of the project must be removed within 30 days after completion of the project. Project area cleanup will be accomplished by removing all refuse to an approved sanitary landfill.
10. Fence specifications for wildlife concerns will be strictly adhered to in the construction of this fence. These specifications are to be provided to the builder prior to construction.
11. The "no activity" period for all management actions in migratory bird habitat is from 5-1 to

7/15 unless a survey is done to determine no migratory bird breeding or nesting is occurring in the area.

For any activity scheduled between 5/1 and 7/15 the following must take place:

Area which is going to be disturbed must be clearly identified on appropriate maps.

The wildlife team will conduct breeding bird surveys to identify if migratory bird breeding or nesting is occurring in the area.

12. For sage grouse wintering grounds, disturbance should be avoided from November 1 to March 31.

APPENDIX II

NOXIOUS WEED RISK ASSESSMENT

On February 4, 2004 a Noxious Weed Risk Assessment was completed by Mark Lowrie, rangeland management specialist, for the Gleason Creek Riparian Protection Fence, located in the Gleason Creek Watershed, in White Pine County, Nevada. The legal location for the pipeline is as follows:

T. 18N., R. 62E., in portions of the west half of Sections 18, 19.

This project will disturb approximately 4 acres of public lands, which were surveyed for noxious weeds during the task force tour of June, 2005.

Factor 1 assesses the likelihood of noxious weed species spreading to the project area.

For this project, the factor rates as (low,3) at the present time. This means that noxious weeds were located adjacent to, but not within, the project area. The Ely Field Office has inventoried the public lands surrounding the project area, and has not located any noxious weeds.

Factor 2 assesses the consequences of noxious weed establishment in the project area.

For this project, the factor rates as (low,3) at the present time. This means that no cumulative effects to the native plant community are expected. There is little likelihood that noxious weeds will spread into the project area.

The Risk Rating is obtained by multiplying Factor 1 by Factor 2.

For this project, the Risk Rating is (low,9) at the present time. This means that the project can proceed as planned. Control treatments would be initiated on noxious weed populations that get established in the project area. Preventive management measures for noxious weeds should be developed as follows:

1. The grazing permittee and BLM range specialist will watch for and report or eradicate any small noxious weed patches in the project area.
2. The fence line project inspector (PI) and range specialist will include weed detection into project compliance inspection activities.
3. The project operations will be conducted in compliance with the Ely District BLM noxious weed schedules. The scheduled procedures can significantly and effectively reduce noxious weed spread or introduction into the project area.
4. Trucks, trailers, or other equipment used in gather operations will be washed prior to entering the project area.
5. The project area will be monitored for noxious weeds for at least three consecutive years. Newly established populations will be controlled and follow-up treatments will occur for previously treated infestations.

The project can proceed as planned. Control treatments would be initiated on noxious weed populations that establish in the project area. It is possible noxious weed seed could be imported to the area via livestock, wildlife, people, vehicles, or other modes of transport.

Reviewed by: _____

Date:

**DECISION RECORD
AND
FINDING OF NO SIGNIFICANT IMPACT
(DR/FONSI)
GLEASON CREEK RIPARIAN PROTECTION FENCE
NV-040-05-006**

Decision: I have reviewed the Environmental Assessment (EA) for the Gleason Creek Riparian Protection Fence and concur with the analysis of environmental impacts. It is my decision to authorize the Gleason Creek Riparian Protection Fence & Associated Water Development as described in the proposed action portion of the EA. The site-specific analysis for the proposed action is technically adequate and addresses the critical elements of the human environment. The project will be constructed under applicable Standard Operating Procedures. Appropriate mitigating measures will be implemented as follows:

1. Fence construction will comply with the requirements of the Migratory Bird Treaty Act. For the protection of migratory birds, no construction activities will occur during the period of May 1 through July 15 unless a breeding bird survey is completed first.
2. Control treatments will be initiated if noxious or invasive weeds are detected during rangeland monitoring of the area.
3. The fence will be monitored during construction for compliance with fence construction guidelines and Standard Operating Procedures. Other monitoring includes compliance checks regularly to ensure the project is properly maintained for the health and safety of the public as well as for wildlife and livestock.
4. The project area will be monitored following fence completion to determine the effectiveness of the fence in controlling livestock movement, and to determine what effect the project will have on rangeland health and native vegetative condition.

Finding of No Significant Impact (FONSI)

I have reviewed Environmental Assessment (EA) NV-040-05-006, dated February 7, 2006. After consideration of the environmental impacts as described in the EA, and incorporated herein, I have determined that the proposed riparian protection fence and water developments, with the project design and standard operating procedures as described in the EA, will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required to be prepared. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 Code of Federal Regulations 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Rationale:

I have determined the proposed action is in conformance with the approved Egan Resource Management Plan, the White Pine County Land Use Plan, and is consistent with the plans and policies of neighboring local, county, state, tribal, and federal agencies and governments. This proposed project would be effective in restoring watershed health and riparian habitat on public lands in the Gleason Creek Riparian Corridor. Approval of the proposed action would assist the Bureau and rancher in improving or

maintaining rangeland health, watershed condition, and in meeting the multiple use management objectives established for the Gleason Creek Watershed and the Thirty Mile Spring Allotment. The proposed action would also result in fewer and more efficient compliance checks. Through control of livestock utilization of riparian habitat, progression will be made towards achievement of Standards and Guidelines for Grazing Administration.

Context:

The proposed project is located within the Gleason Creek Watershed (#136) of the Ely District BLM. The project would occur within the Thirty Mile Spring Grazing Allotment, in the sagebrush range that surrounds the Gleason Creek riparian corridor. The project area is located about 14 miles northwest of Ely, Nevada. The project would disturb a total of approximately four acres.

Intensity:

- 1) Impacts that may be both beneficial and adverse.

The environmental assessment has considered both beneficial and adverse impacts of the riparian protection fence and water development. This project would improve overall watershed condition and rangeland health by restricting grazing in a sensitive riparian corridor. It would improve the grazing management for the permittee. Adverse effects would include the temporary loss of approximately 2 acres of sagebrush rangelands for grazing and wildlife uses, in addition to a disruption of the visual resource.

- 2) The degree to which the proposed action affects public health or safety.

The proposed action will not result in potentially substantial or adverse impacts to public health and safety.

- 3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The cultural resources needs assessment (#) has identified one potential National Register of Historic Places eligible cultural site in the project area. There are no other known unique cultural or environmental characteristics in the geographic area. The project area does not contain any park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

- 4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Presently there is little controversy on the effects of the project on the quality of the human environment.

- 5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

There are no known effects of the proposed project identified in the EA which are considered uncertain or involve unique or unknown risks. The protection fence and water developments would be constructed to standard practices and standard operating procedures.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The proposed action does not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

No significant cumulative impacts have been identified in the EA.

8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

The cultural resources needs assessment (#) has identified one potential National Register eligible cultural site in the project area. There are no other known unique cultural or environmental characteristics in the geographic area. The project area will be completely surveyed for cultural resources. Significant cultural resources will either be avoided or mitigated. The proposed action will not cause the loss or destruction of significant scientific, cultural or historical resources.

9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

No endangered or threatened species or their habitats are present in the project area.

10) Whether the action threatens a violation of Federal, State, or local law or requirement imposed for the protection of the environment.

The proposed action will not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment.

William E. Dunn
Assistant Field Manager
Renewable Resources

Date